

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

In re

CHRIS E. CARHART,

Case No. 9:16-bk-06499-FMD

Debtor.

ROBERT E. TARDIF, JR., Trustee,

Adv. Pro. No. 9:17-AP-00505-FMD

Plaintiff,

v.

KEXIN CARHART

Judge:

Caryl E. Delano

Defendant.

**ANSWER
TO ADVERSARY COMPLAINT**

Now comes the Defendant, Kexin Carhart (Hereinafter the “Defendant”) and in Answer to the Trustee’s Complaint state as hereinafter follows:

- 1. The Defendant Admits the allegations of this Paragraph 1**
- 2. The Defendant Admits the allegations of this Paragraph 2.**
- 3. The Defendant Admits the allegations of this Paragraph 3.**
- 4. The Defendant Admits the allegations of this Paragraph 4.**
- 5. The Defendant Admits the allegations of this Paragraph 5.**
- 6. The Defendant Admits the allegations of this Paragraph 6.**
- 7. The Defendant Admits the allegations of this Paragraph 7.**
- 8. The Defendant Admits the allegations of this Paragraph 8.**
- 9. The Defendant Denies the allegations of this Paragraph 9. Furthermore, the Defendant affirmatively states that the Naperville property is subject to two secured interests, to wit: a first mortgage to Bank of America for \$460,000.00 and a valid Illinois judgment lien against the Debtor’s one half of the property,**

in the amount of \$333,614.33 that viewed together constitute a dollar amount far in excess of the estimated value of the property of \$750,000.00 plus costs of sale and the expenses of preserving the property since the Bankruptcy case was first filed. If the property is sold, the estate would realize nothing, rendering the sale of the Naperville property a useless act.

10. The Defendant Denies the allegations of this Paragraph 10. Furthermore the Defendant restates her affirmative answer to paragraph 9 above.

11. The Defendant admits the allegations of paragraph 11.

Wherefore, the Defendant prays for the entry of a judgment against the Plaintiff Trustee and denying the sale of the Defendant's Illinois Property.

Executed this 23rd day of October, 2017

/s/ John S. Biallas

Attorney for Kexin Carhart, Defendant

Certificate of Service

I hereby certify that a true and accurate copy of the foregoing Answer has been furnished the US Trustee, and to the Plaintiff Trustee Robert E. Tardiff, Jr. by electronic notice.

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